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his own or from some bar library, before he is able to reach a judgment which he can communicate with safety to his clients.

It is with extreme pleasure that we commend this fourth, as we have the other editions, of the *Law of Contracts*. We can safely say, as to Prof. Parsons' part, that it is most excellent; and as to typography, we have but to state that the book was issued from the press of Little, Brown & Company. This of itself is sufficient.

A TREATISE ON THE MEDICAL JURISPRUDENCE OF INSANITY. By J. RAY, M. D.
Fourth edition, with Additions. Boston: Little, Brown & Co., 1860.

Works on Medical Jurisprudence have occupied much professional attention in the few years last past. This work of Dr. Ray's has now been in the hands of the profession long enough to have a deliberate judgment passed upon it. The very great importance in a judicial point of view, of a correct and exact knowledge of the laws that scientific investigation has eliminated on the subject of mental disorders, is not to be questioned. And this knowledge can come only from experience and attentive observation. The preface to this fourth edition gives us a very good idea of the value of this edition itself. "Since the first edition of this work," says the learned author, "was published, no part of Medical jurisprudence has received so much attention, in one way or another, as that which relates to insanity. During that period, have appeared several works especially devoted to it, among which that of our own countrymen, Wharton and Stillé, possesses superior merits, while the cases in which it has been discussed in English and American courts, greatly outnumber the whole amount of those which had been previously recorded. In preparing the present edition of this work, however, it has formed no part of my purpose to notice all, or a considerable number of such cases, but I have rather sought, by means of some additions prudently made, to indicate the progress of the science, to supply important omissions, and to place some views in a stronger light. I take the opportunity to state, that an increased practical acquaintance with the subject, while it has occasionally led me to more precision and accuracy of statement, has not weakened my belief in those doctrines which have been regarded as pecu-

liar to this work. On the contrary, every year's experience has only strengthened the conviction, that much of the common law relative to insanity, whatever other support it may have, has no foundation in the facts of science."

The last chapter in the work is probably the one which will attract the most attention, from both the medical and legal professions—"the duties of medical witnesses." We protest against some intimations about our own profession, founded upon popular notions, rather than the experience of modern practitioners. We are sure Dr. Ray's own experience would not justify him in some of his intimations as to the method of counsel in examining medical experts. Medical men seem to forget that lawyers are not commonly skilled in medical science, and almost universally apply their knowledge, both general and professional, to the very matter of fact in hand, indulging in no fine theories, but bringing every thing before them to the severe test of the practical and the actual. The trial of causes is for the purpose of reaching results, not ventilating scientific fancies; and it may doubtless happen that thorough medical discrimination may frequently be wanting in the forum of justice.

We are glad to see that Dr. Ray is firmly persuaded that the well known case of *Com. vs. Rogers*, 7 Metc. 500, enunciates the sounder rule in the examination of experts, and that the true rule is to put the question hypothetically thus: "If the symptoms and indications testified to by other witnesses are proved, and if the jury are satisfied of the truth of them, whether, in their opinion, the party was insane." This rule was first departed from in this county, in the *United States vs. McGlue*, 1 Curtis, 1, which follows a recent result of English cases, certainly bolstered up by a formidable array of judicial names, commencing with Baron Henley, and culminating in Lord Brougham. Dr. Ray shows conclusively that the later doctrine, which departs from the older and well considered one, so well stated in Rogers' case, is either impossible in its strict application in practice, or becomes so qualified and modified, that it substantially and truly is the old doctrine after all, put in a more roundabout and less exact form. This chapter of Dr. Ray's book deserves perusal by both professions.